



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Brendon LILLY

Group Art Unit: 2857

Application No.: 10/501,945

Examiner: P. KIM

Filed: October 12, 2004

Docket No.: 120496

For: PERFORMANCE MONITORING SYSTEM AND METHOD

**APPLICANT'S SEPARATE RECORD OF THE
NOVEMBER 8, 2005 PERSONAL INTERVIEW**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant appreciates the courtesies shown to Applicant's representative by Examiners Kim and Hoff in the November 8, 2005 personal interview.

During the personal interview, Applicant's representative asserted that Remboski, Curless, Greineder and Deb do not, alone or in combination, teach or suggest a system and method including generating at least one performance indicator distribution from measurements of at least one machine parameter, and the at least one machine parameter related to the operation of the machine by at least one machine operator, and calculating at least one performance indicator from the at least one performance indicator distribution for the at least one machine operator, as set forth in independent claims 1 and 16.

The Examiners indicated that they must further review the applied references and perform an updated search before issuing the next Office Action.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
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Holly N. Moore
Registration No. 50,212

JAO:HNM/kzb

Date: November 14, 2005

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